

1 MERYL L. YOUNG, SBN 110156
myoung@gibsondunn.com
2 JARED M. TOFFER, SBN 223139
jtoffer@gibsondunn.com
3 GIBSON, DUNN & CRUTCHER LLP
3161 Michelson Drive
4 Irvine, California 92612-4412
Telephone: (949) 451-3800
5 Facsimile: (949) 451-4220

6 Attorneys for Defendant,
T-MOBILE USA, INC.
7

8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10

11 PHILIP MARTINET, individually and on
behalf of all others similarly situated,
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13 Plaintiffs,
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15 v.
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17 T-MOBILE USA, INC., a Delaware
corporation,
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19 Defendant.
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CASE NO. 08-CV-0381-JLS (NLS)

JOINT MOTION FOR EXTENSION OF
TIME TO RESPOND TO COMPLAINT

Judge: Hon. Janis L. Sammartino
Courtroom: 6

1 Plaintiff Philip Martinet ("Plaintiff") and Defendant T-Mobile USA, Inc.
2 ("Defendant") hereby submit this Joint Motion for Extension of Time to Respond to
3 Complaint.

4 **RECITALS**

5 WHEREAS, Plaintiff's Class Action Complaint ("Complaint") was filed with
6 the Court on February 27, 2008;

7 WHEREAS, Defendant was served with the Complaint on March 20, 2008;

8 WHEREAS, without an extension of time to respond, Defendant is required,
9 pursuant to Federal Rule of Civil Procedure 12(a)(1)(A)(i), to respond to the
10 Complaint on or before April 9, 2008;

11 WHEREAS, Defendant has not previously requested an extension of time;

12 WHEREAS, good cause exists for an extension of time to respond to the
13 Complaint because Defendant has recently retained counsel to represent it in this
14 matter and counsel needs additional time to investigate and evaluate the allegations
15 and claims in the Complaint and to prepare a response to the Complaint;

16 **THE PARTIES HEREBY STIPULATE AND AGREE AS FOLLOWS:**

17 The time for Defendant to answer, move or otherwise respond to the Complaint
18 in this matter shall be extended for thirty (30) days, until May 9, 2008, subject to the
19 approval of the Court.

20
21 DATED: April 9, 2008

22 MERYL L. YOUNG
23 JARED M. TOFFER
24 GIBSON, DUNN & CRUTCHER LLP

25 By: /s/ Meryl L. Young
26 Meryl L. Young

27 Attorneys for Defendant,
28 T-MOBILE USA, INC.
E-mail: myoung@gibsondunn.com

1 DATED: April 9, 2008

2 JOSEPH G. DICKS
3 LINDA G. WORKMAN
4 DICKS & WORKMAN, APC

5 By: /s/ Joseph G. Dicks
6 Joseph G. Dicks

7 Attorneys for Plaintiff,
8 PHILIP MARTINET
9 E-mail: jdicks@dicks-workmanlaw.com
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CERTIFICATE OF SERVICE

I, Kimberly A. Spake, declare as follows:

I am employed in the County of Orange, State of California; I am over the age of eighteen years and am not a party to this action; my business address is 3161 Michelson Drive, Irvine, California 92612-4412, in said County and State.

I hereby certify that on April 9, 2008, the attached document was electronically transmitted to the Clerk of the Court using the CM/ECF System which will send notification of such filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrant(s):

Joseph G. Dicks

jdicks@dicks-workmanlaw.com

I am employed in the office of Meryl Young, a member of the bar of this court, and that the foregoing document(s) was(were) printed on recycled paper.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 9, 2008.



Kimberly A. Spake

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